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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

For : Reissue of U.S. Patent No. 6,202,870  
Patentee : Woodrow W. Pearce  
Patent No. : 6,202,870  
Patent Issue Date : March 20, 2001  
Title : VENTING CAP  
Docket No. : 45955/CM/P369

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1500

8/15/03  
(Date of Deposit) 

SUPPLEMENTAL DECLARATION FOR REISSUE PATENT APPLICATION

Assistant Commissioner for Patents  
Washington, D.C. 20231

Post Office Box 7068  
Pasadena, CA 91109-7068

Commissioner:

As a below named inventor, I hereby declare that my residence and post office address is listed below, I am a citizen of the United States of America, and I believe I am an original, first and sole inventor of the subject matter described and claimed in U.S. Patent No. 6,202,870 (the "'870 Patent"), issued on March 20, 2001, for which a reissue patent is sought on the invention entitled VENTING CAP, the specification of which is attached hereto. The application for the '870 Patent was filed on March 29, 1999, as Application Serial No. 09/277,918 (the "'918 Application").

I acknowledge the duty to disclose information known to me to be material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

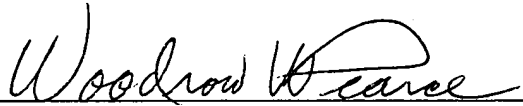
I believe that the '870 Patent is partially inoperative because none of the claims in the '870 Patent are directed to an insert for use with a cap for capping a bottle where the insert has an annular section forming an opening and comprising a first surface opposite a second surface and a groove formed on the first surface, wherein when the cap is capping the bottle, the groove extends beyond two locations on the rim. The novelty of this aspect of my invention was erroneously overlooked, as I did not appreciate the full scope of the invention being claimed at

the time the '918 Application was filed and during its prosecution. My failure to recognize the full scope of the invention being claimed was inadvertent as is evidenced by the fact that although this novel feature was described in the specification of the '918 Application, it was not broadly claimed. As a result of this failure, I claimed less than I had a right to claim in the '870 Patent. This error arose without any deceptive intention on my part. Moreover, every error in the patent which was corrected in the present reissue application, and is not covered by a prior oath/declaration submitted in this application, occurred without any deceptive intent on my part.

I hereby state that I have reviewed and understand the content of the above-identified application, including the specification, the original claims 1-40, of which claims 18, 35, 37 and 40 have been amended for clarity, the added reissue claims 41-57, as well as the amendments made to the claims with the Preliminary Amendments filed with the U.S. Patent and Trademark Office on November 28, 2001, and July 22, 2002, as well as the amendments made to claims 2, 8, 18, 22, 24, 25, 26, 31, 32, 37, 40, 43, 44, 47, 50 and 54 in the amendment being filed concurrently herewith.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the reissue application or any patent issuing thereon.

DATED: 8-7-03

  
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